

**SAN LUIS OBISPO COUNTY
HEALTH COMMISSION**

Minutes of Meeting

Monday, January 13, 2014 (County Board of Supervisors Chambers)

Members Present: Lynn Enns (Chair), David Clous, Tracy Del Rio, Ed Guerena, James Pope, Anne Quinn, Jean Raymond, Scott Smith-Cooke, Susan Warren

Members Absent: Mary Jean Sage

Staff Present: Dr. Penny Borenstein, Jean White

Speakers: Joel Diringier (Diringier & Associates); Marty Settevendemie, Janice Campbell, Tom Morgan (SLO County Agricultural Department)

Agenda Item	Discussion	Action	Who/When
1. Call to Order	Meeting called to order by Chair Enns at 6:00 pm.	<i>Call to Order</i>	<i>Chair Enns</i>
2. Approval of Minutes	Minutes of November 18, 2013 were approved as drafted.	<i>November 2013 minutes approved.</i>	<i>Guerena/Smith-Cooke/All</i>
3. Public Comment	Chair Enns opened the floor to public comment with no response.		
4. Affordable Care Act Update	<p>Joel Diringier, Diringier & Associates, provided a Power Point update on Health Care Reform, talking about how the Affordable Care Act (ACA) is being implemented in San Luis Obispo County:</p> <ul style="list-style-type: none"> • Open enrollment for Covered CA ends March 31st and will not open again until October 2014. Medi-Cal has enrollment all year around. Major enrollment efforts have been made locally through the AIDS Support Network, Community Health Centers, private insurance agencies, and Social Services (DSS). Mr. Diringier provided local enrollment numbers from DSS & CenCal Health, but there is currently no local data available from Covered CA. Without having data from Covered CA, it is not clear if we are reaching the “hard to reach” populations. • Over ¾ of the County Medical Services Program (CMSP) patients are expected to transition to Medi-Cal, with most of the remainder expected to receive subsidized coverage through Covered CA. A new program called the SLO County Medically Indigent Services Program (MISP) will cover those legal residents of the county above Medi-Cal limits with a medical need who cannot “afford” Covered CA coverage or those with a hardship. These new criteria to begin April 2014 and the MISP application process will be through DSS. • CenCal Health is working to increase local provider capacity to administer the new Medi-Cal benefits for mild to moderate mental health and substance use disorder treatment. County Mental Health will continue as a provider for severe mental health issues. County Drug & Alcohol will administer new substance use disorder services, but this will require significant planning and resources to implement. • It will take 3 years before we can assess how many of last year’s uninsured are currently insured and will take longer to assess if there is a change in utilization of health services. <p><u>Commissioner Questions/Comments</u> Commissioner Guerena asked about insurance company coverage for disease prevention. <i>(Mr. Diringier explained that one of the essential health benefits under the ACA is “prevention.” Preventive services are available at no cost.)</i> Commissioner Quinn asked if the higher deductibles might prevent people from utilizing services. <i>(Mr. Diringier explained the choices in plans with the lowest Bronze paying 60% and the highest Platinum</i></p>		

	<p><i>paying 90%. Preventive coverage is not subject to deductibles.)</i></p> <p>Commissioner Smith-Cooke asked if Mr. Diringler has seen any stats on patients in SLO County confirming they have insurance cards and an insurance plan in place. <i>(Mr. Diringler hasn't seen any data from Covered CA, but several people have confirmed they have received a card & plan.)</i></p> <p>Commissioner Smith-Cooke asked if Mr. Diringler has read any language about Medicare supplemental plans having a waiting period based on pre-existing conditions. <i>(Mr. Diringler advised that Medicare hasn't changed much, so if there was pre-existing in Medicare, it may still be there.)</i></p> <p>Commissioner Clous asked if there was any data on young people signing up. <i>(Mr. Diringler doesn't have any enrollment data on that population for SLO County.)</i></p> <p>Commissioner Raymond asked how the Cal Poly population factors into the enrollment numbers for the County. <i>(Mr. Diringler advised that the only grant money from Covered CA to do outreach & enrollment has been at Cal Poly, and they have reported very low uninsured rates at Cal Poly, lower than any other CSU.)</i></p> <p>Commissioner Del Rio asked about community colleges. <i>(Mr. Diringler advised that Cal Poly did some outreach at Cuesta College, but is uncertain how successful that was.)</i></p>		
<p>5. County Pesticide Use Enforcement Program Update</p>	<p>Marty Settevendemie, Agricultural Commissioner, provided an overview of the Agricultural (Ag) Department's mission and the basic components of the program. They work under the authority of the Department of Pesticide Regulation (DPR) and are the local entity that enforces the laws and regulations pertaining to pesticides use. Each year they work with the DPR to develop a work plan, with three main components: 1) permitting of pesticides (issuing operator identification numbers, restricted materials permits, and registering professional applicators); 2) monitoring (conducting field inspections, structural inspections, & headquarter inspections for proper documentation & reporting; and 3) compliance and enforcement (issuing warning letters, violation notices, or a cease and desist). Mr. Settevendemie provided data for FY 2012-13 on numbers of permits issued, inspections conducted, and actions taken.</p> <p>Janice Campbell, Deputy Agricultural Commissioner, provided a Power Point overview of pesticide use on school properties and in proximity to schools. Schools are required to comply with all label requirements for using pesticides safely and must follow the Healthy Schools Act, but are not required to come into the Ag Office. If a school wants to use a restricted material, they must obtain a permit. If a grower wants to use a pesticide adjacent to a school, whether they are using a general use pesticide or a restrictive material, they must come into the Ag Office and be issued an Operator ID. Restrictive materials require site evaluations along with additional requirements dependent upon what type of pesticide is requested. Ms. Campbell showed charts demonstrating changes over time in types of fumigants being used, with 100% chloropicrin now being a replacement for Methyl Bromide.</p> <p>Tom Morgan, Agricultural Inspector, talked about what agricultural inspectors do related to fumigation inspections: evaluate and issue permits, enforce pesticide laws and regulations, conduct pre-application/application/post-application inspections, and respond & follow up on complaints related to pesticides. Mr. Morgan described what a fumigant is and talked about the two types of fumigation methods used: "Flat fumigation" and "Drip chemigation." There have been more restrictions on fumigants over the years. In 2012, the EPA implemented new label requirements for buffer zones, emergency preparedness, training for certified applicators, and fumigation management plans. Pesticide exposure questions should be directed to a person's medical doctor or 9-1-1 for medical emergencies, California Poison Control at 800-876-4766 or National Pesticide Information Center at 800-858-7378.</p>		

Complaints can be reported through the Ag Commissioner's Office at 805-781-5910 or the Pesticide Complaint Line in English & Spanish at 800-528-9333 and can be anonymous.

Commissioner Questions/Comments

Commissioner Pope asked about the toxicity of the chemicals being used to replace Methyl Bromide. *(Mr. Settevendemie referred to the DPR for assessment on each chemical, but noted that all fumigants are very toxic. Ms. Campbell added that every pesticide is put through a risk assessment and that chloropicrin is currently going through risk assessment.)*

Commissioner Guereña asked how the growers notify neighbors when there is a notice of intent to use a fumigant. *(Ms. Campbell explained that in case of an emergency, the growers are required to notify their neighbors or they must monitor for sensitivity irritation. There is always signage posted at the field, buffer zones and in the case of Methyl Bromide, additional postings. Buffer zones range from 25-300 feet and are dependent on the type of tarp used. If a higher percentage tarp is used, buffer zones can be reduced to a smaller distance.)*

Commissioner Guereña asked if anyone has used Methyl Iodide in San Luis Obispo County. *(Ms. Campbell advised that Methyl Iodide is no longer available for use.)*

Commissioner Del Rio asked about aerial sprayings. *(Ms. Campbell advised that aerial sprayings are a legal application and pilots are licensed and registered with the Agricultural Department.)*

Commissioner Clous asked how often fields are treated with fumigants. *(Mr. Morgan explained there are two fumigation seasons. For strawberries, fumigation season can start in early March, with a second phase of fumigation in the fall. Cost is approx. \$3,000-\$5,000 per acre.)*

Commissioner Smith-Cooke asked for more detail on topic of violation and fines. *(Mr. Settevendemie explained that most of their violations are related to training or personal protective equipment. Ms. Campbell added that their compliance rate is about 98% of everything they check for. Each year is different as far as numbers, with 145 violations last year.)*

Commissioner Smith-Cooke asked about schools not being required to get an operator's permit and if this includes home schools. *(Ms. Campbell advised that the schools have trained people to do their pest control and must comply with the Healthy Schools Act. Home schools are listed on the Ag Dept maps, so their office looks at agricultural use around home schools as well as public and private schools.)*

Commissioner Smith-Cooke asked about regulation of household applications. *(The Ag Department does not get too involved with personal use. If someone is contracting out to have pesticide work done on their property, they are probably hiring a professional applicator and are within the confines of the regulations. They would investigate if there were an issue/incident.)*

Commissioner Smith-Cooke asked if the wine industry has had an impact on their staffing & budget. *(Mr. Settevendemie explained that agriculture in our county changes, but it has always been there and balances itself out. Their program is funded through statewide distributions, County general fund, and some of the fine money they receive.)*

Commissioner Clous asked about the possibility of the HC's Pesticide Use Task Force doing ride-alongs with Ag inspectors. *(Mr. Settevendemie explained how ride-alongs may jeopardize some of the confidentiality and relationships they have established with the individuals they regulate.)*

Commissioner Pope is on the Health Commission's Pesticide Use Committee and having reviewed the Ag Department's records the past two years, commented on how impressed he was with the LACK of

	<p>people getting exposed and having adverse health effects. Dr. Borenstein commented that pesticide exposure is reportable to the Public Health Department (PHD) from physicians and advised that the PHD plans to put a reminder notice in their next PH Bulletin.</p>		
<p>6. Health Agency / Public Health Report</p>	<p>Dr. Penny Borenstein, Health Officer, reported on the following:</p> <ul style="list-style-type: none"> • <u>Budget</u>: The Health Agency budget is due to County Administration on January 29, 2014. They do not anticipate the same level of “cuts” as in the past 5 years, but are having a difficult time projecting what changes may occur due to uncertainties around the ACA and the residual uninsured who may be eligible for the MISP (Medically Indigent Services Program). • <u>Influenza</u>: Flu season is here and early returns are showing that younger people are being hit harder than in a typical flu season. There have been some hospital and ICU admissions in SLO County, but no deaths in persons under the age of 65, which is marker for how bad the season is. • <u>New Vaccine Related Legislation</u>: As of January 1, 2014, the personal belief exemption (to defer a student entering any public or private school from receiving the required vaccinations) can only be signed off by a parent if they have had interaction with a medical provider to educate them about that choice. This law was co-sponsored by the Health Officers in California because non-immunization rates and use of the personal belief exemption had been increasing over the years. • <u>Communicable Disease</u>: The Public Health Laboratory recently brought on line a new testing panel called “GPP” (gastrointestinal pathogen panel) for gastrointestinal disease (aka stomach flu). This will allow the laboratory to do surveillance and help the medical community and patients understand what the sources and frequency are in our community. <i>(Commissioner Smith-Cooke asked if other laboratories in the community test for these pathogens. Dr. Borenstein advised that private laboratories test for many individual pathogens, but that this particular test tests for a whole range of pathogens at the same time. She will confirm if this is unique to our laboratory.)</i> Commissioner Smith Cooke asked about the meningitis outbreak in Santa Barbara County. <i>Dr. Borenstein advised that from Nov into Dec there were two bacterial meningitis outbreaks at the University of California Santa Barbara and at Princeton University in the East, with at least 3 generations of transmissions in each of those outbreaks. SLO County did not have any cases of bacterial meningitis, and they believe the Santa Barbara outbreak is over.</i> Commissioner Enns asked about influenza reporting and whether “8 cases” means “hospitalized cases.” <i>Dr. Borenstein explained that influenza is not a mandated reporting. Most providers agree with reporting in adults, any admission to ICU or any fatalities; and in children, any hospitalizations.</i> 		
<p>7. Health Commissioner Updates</p>	<p>Chair Enns: No report. Commissioner Guerena: No report. Commissioner Del Rio: Reported that she has prepared a draft resolution for “Health in all Policies” that will be emailed to Commissioners for discussion at next month’s meeting. Commissioner Raymond: No report. Commissioner Warren: No report. Commissioner Clous: The Health Commission’s Pesticide Use Committee (Commissioner Clous & Commissioner Pope) have arranged to meet with the Agricultural Department for a biannual (every two year) review of pesticide data. They will submit a formal report. Commissioner Quinn: No report. Commissioner Pope: No report.</p>		

	Commissioner Smith-Cooke: Commented on ride-alongs, noting that Public Health inspectors and the Police Department allow ride-alongs.		
8. Committee Reports	<p><u>Budget Committee:</u> No report.</p> <p><u>Legislative Committee:</u> No report.</p> <p><u>Community Education Committee:</u> Commissioner Raymond advised that the committee met on Dec 16, 2013 to review upcoming agenda topics and created a list of topics for Feb-Jun 2014.</p> <p><u>Nominating:</u> Commissioner Quinn read a report from Commissioner Sage who is absent tonight, that the Nominating Committee is currently recruiting for the Consumer vacancy. Seven of the 11 commissioner terms are expiring at the end of June and they are polling commissioners to see if they will be continuing for another term. The Nominating Committee will meet in February to interview candidates.</p>		
9. Prospective Future Items	<p>Feb 2014: Cardiac Health; Senior Resources; Healthy Communities Draft Resolution</p> <p>Mar 2014: Access For All w/panel reps from hospitals</p> <p>Apr 2014: ACA Update (statistics/wrap-up); ACA Behavioral Health integration update</p> <p>May 2014: Homeless Update from DSS; Healthy Communities Student Survey; Tobacco Survey</p> <p>June 2014: Fracking – impact on water</p>		
10. Adjournment	Meeting adjourned at 7:55.	<i>Adjournment</i>	<i>All</i>